

September 11, 2023

Via ECF

The Honorable Edgardo Ramos
Southern District of New York
40 Foley Square
New York, NY 10007

Re: SlackPass, Inc. v. Frosted, Inc. et al., Case No. 23-cv-06393-ER

Dear Judge Ramos:

Pursuant to Section 1(E) of this Court's Individual Practices, Plaintiff SlackPass, Inc. d/b/a LaunchPass ("LaunchPass" or "Plaintiff") respectfully submits this letter motion seeking the adjournment of the September 15, 2023 pre-motion conference set by this Court.

On September 5, 2023, Plaintiff filed a request for a pre-motion conference in advance of a proposed motion for leave to serve process on Defendants Cameron Zoub ("Zoub") and Steven Schwartz ("Schwartz") (collectively, "Individual Defendants") by certified mail at their home and business addresses, and via email (in Zoub's case). (ECF 23.) On September 6, this Court granted Plaintiff's request for a pre-motion conference, scheduling the conference for September 15, 2023 at 11:00 AM. (ECF 24.)

Later that evening, Whop's counsel, Brian Ascher contacted the undersigned via email and advised that in addition to Whop, he represented the Individual Defendants. Mr. Ascher informed me that he is willing to accept service on their behalf, provided that Plaintiff agrees to extend the Individual Defendants' time to respond to the Complaint to the same date as that applicable to Whop – namely, October 30, 2023 – and withdraw the request for a conference with the Court. Plaintiff has agreed to Mr. Ascher's request and will file an acceptance of service reflecting the October 30, 2023 response deadline shortly.

In light of the foregoing, Plaintiff's proposed motion for alternative service is no longer necessary. For this reason, Plaintiff respectfully withdraws its request for a pre-motion conference, requests that the September 15, 2023 conference be adjourned, and requests that the Court extend the response deadline of Defendants Zoub and Schwartz to October 30, 2023. There have been no previous requests for adjournment or extension, and counsel for Defendants consents to this request.

Respectfully submitted,

DENTONS COHEN & GRIGSBY P.C.

/s/ Fridrikh Shrayber

Copy to: All counsel of record (via ECF)

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